

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CRIMINAL MINUTES – JURY TRIAL  
Day 2

Case No.: 4:18CR00011

Date: 10/8/2019

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**Defendant:**

4:18-cr-00011-MFU-RSB-1 Marcus Jay Davis  
4:18-cr-00011-MFU-RSB-2 Kevin Lamont Trent, Jr.  
4:18-cr-00011-MFU-RSB-3 Kanas Lamont'e Trent  
4:18-cr-00011-MFU-RSB-4 Deshaun Lamar Trent  
4:18-cr-00011-MFU-RSB-5 Phillip Daekwon Miles  
4:18-cr-00011-MFU-RSB-6 Shabba Larun Chandler  
4:18-cr-00011-MFU-RSB-8 Ashley Tiana Ross  
(bond)  
4:18-cr-00011-MFU-RSB-10 Tenikqua Fuller (bond)

**Counsel:**

Tony Anderson, Bev Davis  
Aaron Cook, Jimmy Turk  
Bonnie Lepold, Mike Hemenway  
Chris Kowalcuk, Patrick Kenney  
Tyson Daniel, Cary Bowen  
Aaron Houchens, Jeff Dorsey  
Terry Grimes  
Corey Diviney

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PRESENT: JUDGE: Michael F. Urbanski, CUSDJ  
TIME IN COURT: 9:18-11:37; 12:00-12:42; 1:46-3:55; 4:10-6:48; 6:59-8:06  
8h 55m  
Deputy Clerk: Kristin Ayersman  
Court Reporter: Judy Webb  
U. S. Attorney: Heather Carlton, Ron Huber, Michael Newman  
USPO: Kim Falatic  
Case Agent: Devin Taylor, FBI, Officer  
Interpreter: none

LIST OF WITNESSES

GOVERNMENT	DEFENDANT
1.	1.

**PROCEEDINGS:**

Panel 3- Jurors enter courtroom 9:40. Collective voir dire. Recess 11:37 Reconvene 12:00. Collective voir dire continued. Recess 12:42 Reconvene 1:46 Individual voir dire. Recess 3:55 Reconvene 4:10 Court and parties address issue of agreed strikes. Individual voir dire continues.

Recess 6:48 Reconvene 6:59 Court addresses counsel/parties – voir dire will end at 5:30pm tomorrow and thereafter. Court will start at 9:30am. Court addresses dft participation in bench conferences – dfts shall remain seated. Challenges for cause. Court asks OCR to forward rough copy of Juror 19 to deal with tomorrow. Review of strikes. Dft 4 readdresses the two jurors TUA yesterday, opposition from other dfts. Court will conduct voir dire from 9:30am to 5:30pm on 10/9 – and considering conducting all voir dire by court. Parties to be in and ready to go prior to 9:30am.

19 struck jurors struck for cause. 1 juror TUA.

# struck jurors struck by Government.

# struck jurors struck by Defendant.

# jurors sworn member jury impaneled and sworn. Remaining jurors discharged.

Preliminary remarks and instructions to jury by Court.

United States of America or Defendant makes oral Motion to Exclude Witnesses from Courtroom. Court grants motion.

Opening Statements by counsel.

Government presents evidence.

Government rests.

Defendant makes Motion for Judgment of Acquittal.

Court  grants  denies  takes under advisement.

Defendant presents evidence.

Defendant rests.

Defendant renews Motion for Judgment of Acquittal.

Court  grants  denies  takes under advisement.

Rebuttal evidence.

Surrebuttal evidence.

Closing Arguments.

Jury Instructions given to Jury.

Objections to Jury Instructions by U.S.A and/or Defendant.

Court  overrules  grants.

Jury retires to deliberate at Time retired.

Jury returns at Time returned.

Jury Verdict: Verdict?

Jury polled.

Polling waived.

Mistrial declared.

Jury discharged.

Motions after verdict:

Sentencing set for \_\_\_\_\_ ..

Sentencing to be set by Clerk.

Court orders Presentence Report.

Defendant remanded to custody.

Defendant to remain on bond.

Additional Information:

Court vacates retention of two jurors from 10/7/19 and takes them under advisement.